

AMENDMENT

U.S. Appln. No. 09/630,777

REMARKS

Claims 1-2 and 4-9 are all the claims pending in the application.

Claims 1-2 and 4-6 are rejected under 35 U.S.C. § 103(a) as being unpatentable over published European Patent Application No. EP 0 901 991 ("EP '991") in view of U.S. Patent No. 5,547,823 to Murasawa, *et al.* ("Murasawa").

Applicants respectfully traverse this rejection. *Any inquiry*

The Examiner has admitted that EP '991 does not disclose a niobium or zirconium oxide primer layer. The Examiner's position is that it would have been obvious to modify EP '991 by reference to Murasawa. In particular, the Examiner states that it would have been obvious to modify EP '991 by reference to Murasawa "because Murasawa teaches the primer layer comprising the zirconium oxide **enables a firm connection** between the substrate and the second layer containing the photocatalytic particles **resulting in a firmer adhesion** of the photocatalytic layer onto the substrate" (emphasis added).

Five Given the Examiner's reasoning of a "firm connection" and "firmer adhesion," the Examiner's proposed modification of EP '991 by reference to Murasawa is to substitute EP '991's interlayer with Murasawa's first layer consisting of an adhesive and inorganic filler particles having no photocatalytic function, as disclosed at column 5, lines 4-18. In this regard, Murasawa's disclosure at column 5, lines 8-13, specifically states that "[t]he provision of the first layer containing no photocatalyst particle enables a firm connection between the substrate and the first layer...."

The proposed combination of EP '991 and Murasawa leads to an article comprising a ~~substrate having formed thereon Murasawa's first layer consisting of an adhesive and inorganic filler particles having no photocatalytic function.~~ Such an article does not teach or suggest the article of present Claim 1. Such a first layer is not the claimed n-type semiconductor film primer layer, wherein the n-type semiconductor film primer layer is an oxide semiconductor film consisting of at least one metal oxide selected from the group consisting of niobium oxide and zirconium oxide.

Accordingly, Applicants respectfully request the withdrawal of this §103 rejection.

AMENDMENT

U.S. Appln. No. 09/630,777

Claims 1-2 and 4-9 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,576,344 to Doushita, *et al.* ("Doushita").

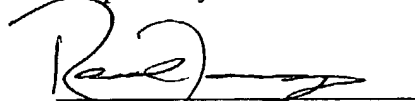
Applicants are filing herewith a sworn translation of the priority application (JP 11-222548, hereinafter "JP '548"), which serves to disqualify Doushita from being available prior art against the claims of the present application.

In this regard, Doushita was filed May 24, 2000, and is a continuation of PCT/JP99/05304, filed on September 28, 1999. The present application claims foreign priority JP '548, which was filed in Japan on August 5, 1999. Furthermore, JP '548 provides complete §112 support for pending Claims 1-2 and 4-9.

Reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, he is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



L. Raul Tamayo
Registration No. 47,125

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE

23373

CUSTOMER NUMBER

Date: January 6, 2004